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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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11 FRANK EDWARD CORONA,) Case No. ED CV 10-0406 VBF (JCG)
12 Petitioner,)
13 v.) **ORDER ADOPTING REPORT AND**
14 FRANCISCO JACQUEZ,) **RECOMMENDATION OF UNITED**
15 Warden,) **STATES MAGISTRATE JUDGE AND**
16 Respondent.) **DENYING CERTIFICATE OF**
17 **APPEALABILITY**

18 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the
19 Magistrate Judge's Report and Recommendation, and the remaining record. No
20 Objections to the Report and Recommendation have been filed.

21 Accordingly, IT IS ORDERED THAT:

- 22 1. The Report and Recommendation is approved and adopted.
23 2. Judgment be entered dismissing this action with prejudice.
24 3. The Clerk serve copies of this Order and the Judgment on the parties.

25 Additionally, for the reasons stated in the Report and Recommendation, the
26 Court finds that Petitioner has not made a substantial showing of the denial of a
27 constitutional right. *See* 28 U.S.C. § 2253; Fed. R. App. P. 22(b); *Miller-El v.*
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1 *Cockrell*, 537 U.S. 322, 336 (2003). Thus, the Court declines to issue a certificate
2 of appealability.

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5 DATED: 4-22-11

Valerie Baker Fairbank

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7 HON. VALERIE BAKER FAIRBANK
8 UNITED STATES DISTRICT JUDGE
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